

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
1362 McMillan Ave., Suite 400
Charleston, South Carolina 29405

and

Charleston District, Army Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403

May 30, 2013
Permit Application Public Notice
Marinex Construction, Inc., 2013-00592-2R

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION: On and adjacent to Shipyard Creek at 1905 Pittsburgh Ave., North Charleston, Charleston County, South Carolina.
TMS: 466-00-00-008.

WORK: The work as proposed consists of installing (10) nineteen-pile cluster dolphins in a mooring area in the upper turning basin of Shipyard Creek. The dolphins will be wrapped at the top by steel cables. The ten dolphins are designed to accommodate 2 Marinex scows that are approximately 295' long, 55' wide and draw ~ 4' of water. No dredging is proposed. The proposed mooring dolphins comply with the 125' federal channel offset while also providing adequate depths for scow mooring.
Please Note: The proposed dolphins will be installed outside of the proposed dredging and widening area contemplated under P/N # 2013-00202-2R (Shipyard Creek Associates, LLC).

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before **June 29, 2013**. For more information, please contact **Steve Brooks** at **843-953-0235** or via email at **brookss@dhec.sc.gov**.

NOTE: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at www.scdhec.gov/environment/ocrm/public_notice.htm.

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2013-00592-2R

23 May 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

MARINEX CONSTRUCTION, INC.
C/O THOMAS PAYNE
2008 CHERRY HILL LANE
N. CHARLESTON, SOUTH CAROLINA 29405

for a permit to install mooring dolphins in

SHIPYARD CREEK

located north of the Arthur Ravenel Bridge on the western side of the Cooper River, in Charleston County, South Carolina. Latitude: 32.838498 N; Longitude: -79.944645.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the Corps until

15 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of installing 10 (ten) 19-pile cluster dolphins in a mooring area in the upper turning basin of Shipyard Creek. In detail, the 10 dolphins will consist of 19 piles wrapped at the top by steel cables. The piles will be treated lumber (as typical for marine use) and will have a 13 inch minimum butt diameter (the pile narrows slightly and progressively to the pile tip). Impact pile driving will be used for installing the pilings on the eastern side of the upper turning basin. The 10 dolphins are designed to accommodate 2 Marinex scows that are approximately 295 feet long, 55 feet wide, and draw ~4 feet of water. No dredging is proposed. The proposed mooring dolphins comply with the 125' federal channel offset while also providing

adequate depths for scow mooring. No mitigation is proposed. (NOTE: The dolphins will be installed outside of the dredging and widening area that is proposed by a different applicant under SAC#2013-00202-2R).

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.004 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

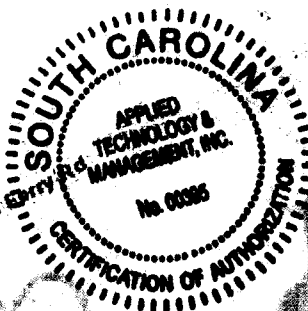
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

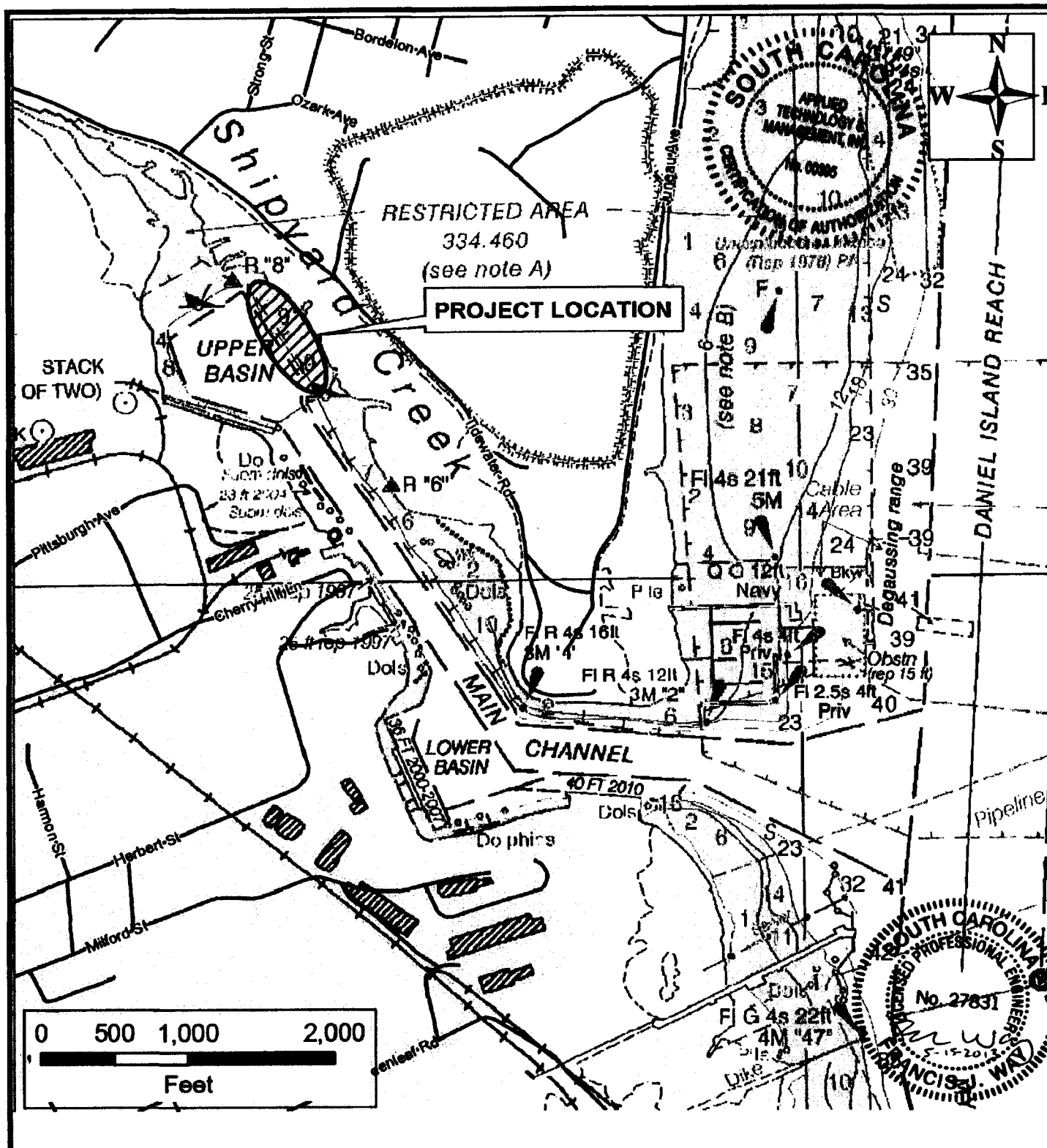
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Robin Collier-Socha at 843-329-8044 or toll free at 1-866-329-8187.

Steve Brooks
sc dhec - OCRM
843-953-0235



APPLICANT:
Marinex Construction, Inc.
2008 Cherry Hill
N. Charleston, SC 29405
DATE: May 13, 2013



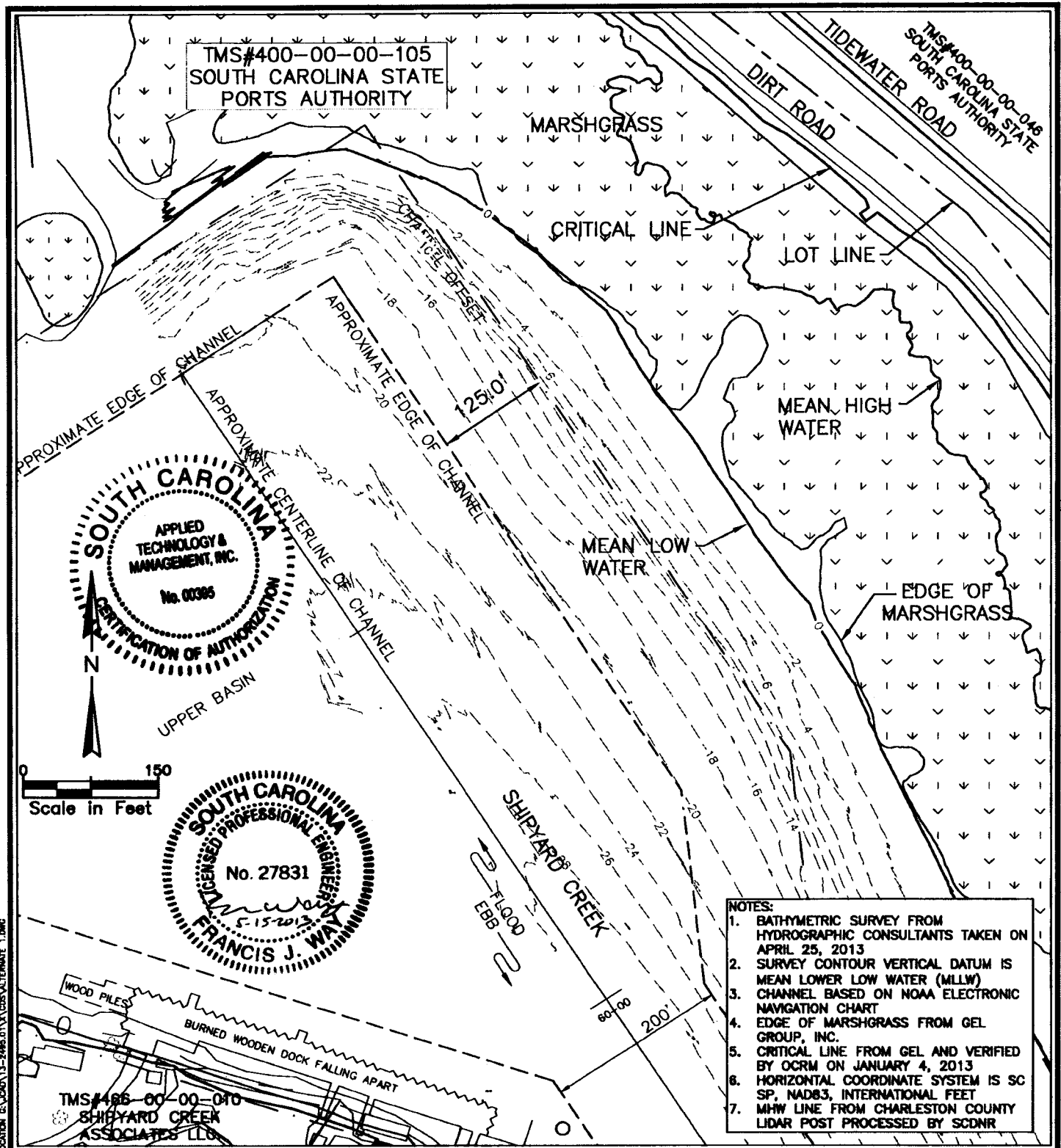
PROJECT LOCATION
 WATERWAY: Shipyard Creek
 CITY: N. Charleston
 COUNTY: Charleston - STATE: SC
 LAT: 32° 50' 17.29" / LONG: 79° 56' 40.29"

SITE MAP

PROJECT PURPOSE: Mooring Dolphins
 2013-00592-2R

APPLICANT:
 Marinex Construction, Inc.
 2008 Cherry Hill
 N. Charleston, SC 29405
 DATE: May 13, 2013

SHEET NUMBER: 2



PROJECT LOCATION
WATERWAY: Shipyard Creek
CITY: N. Charleston
COUNTY: Charleston - STATE: SC
LAT: 32° 50' 17.29" / LONG: 79° 58' 40.29"

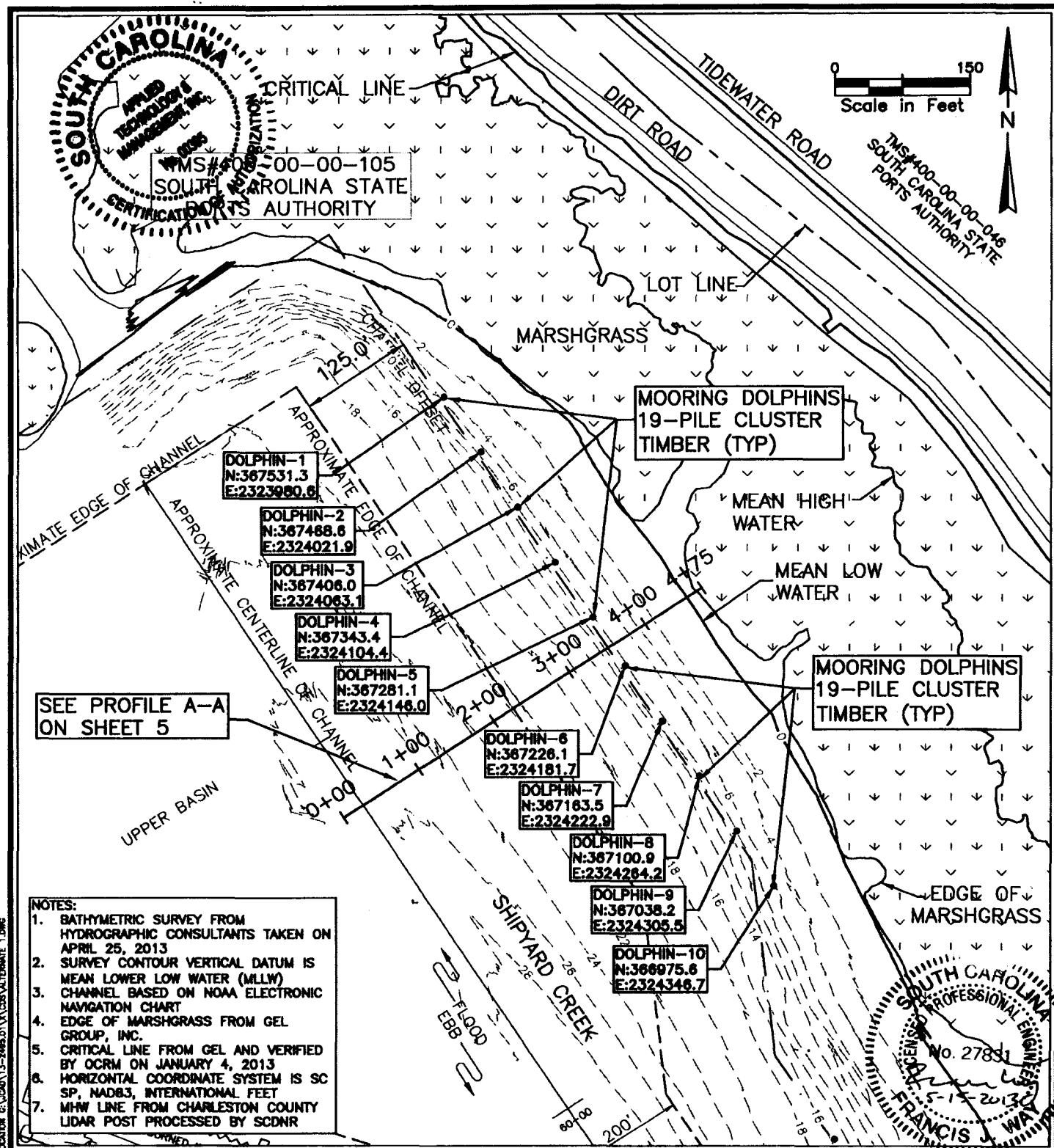
EXISTING CONDITIONS

PROJECT PURPOSE: Mooring Dolphins

2013-00592-2P

APPLICANT:
Marinex Construction, Inc.
2008 Cherry Hill
N. Charleston, SC 29405
DATE: May 13, 2013

SHEET NUMBER: 3



PROJECT LOCATION
 WATERWAY: Shipyards Creek
 CITY: N. Charleston
 COUNTY: Charleston - STATE: SC
 LAT: 32° 50' 17.29" / LONG: 79° 56' 40.29"

PROPOSED CONDITIONS - PLAN VIEW

PROJECT PURPOSE: Mooring Dolphins

2013-00592-2R

APPLICANT:
 Marinex Construction, Inc.
 2008 Cherry Hill
 N. Charleston, SC 29405
 DATE: May 13, 2013

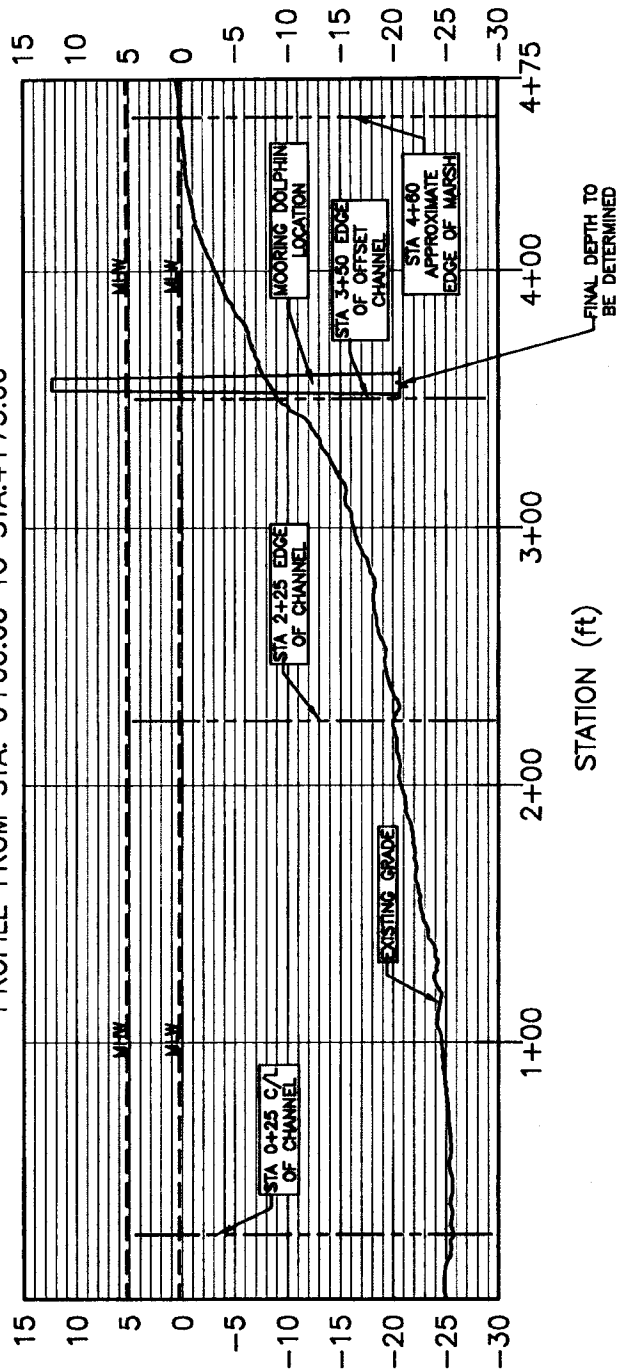
SHEET NUMBER: 4

NOAA Charleston	
Harbor Tides(Station	Feet
ID: 8665530)	
MHHW	5.77
MHW	5.41
NAVD88	3.14
MTL	2.8
MLW	0.19
MLLW	0

PROFILE NOTES
 1. CRITICAL LINE IS 350 FEET FROM
 CLOSEST MOORING DOLPHIN LOCATION
 2. CLOSEST MOORING DOLPHIN LOCATION

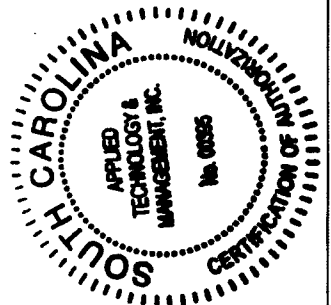
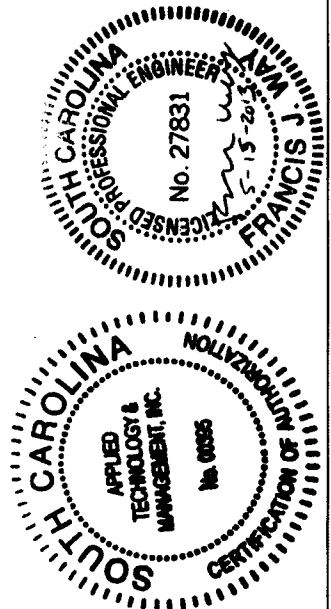
SECTION VIEW A-A FOR PROPOSED PROJECT

PROFILE FROM STA: 0+00.00 TO STA:4+75.00



0 70
 Horiz Scale in Feet

GENERAL NOTES:
 1. VERTICAL DATUM = FEET MLLW
 2. EXISTING GRADE FROM APRIL 25, 2013
 3. HYDROGRAPHIC CONSULTANTS SURVEY



PROJECT LOCATION
 WATERWAY: Shipyard Creek
 CITY: N. Charleston
 COUNTY: Charleston - STATE: SC
 LAT: 32° 50' 17.29" / LONG: 79° 56' 40.29"

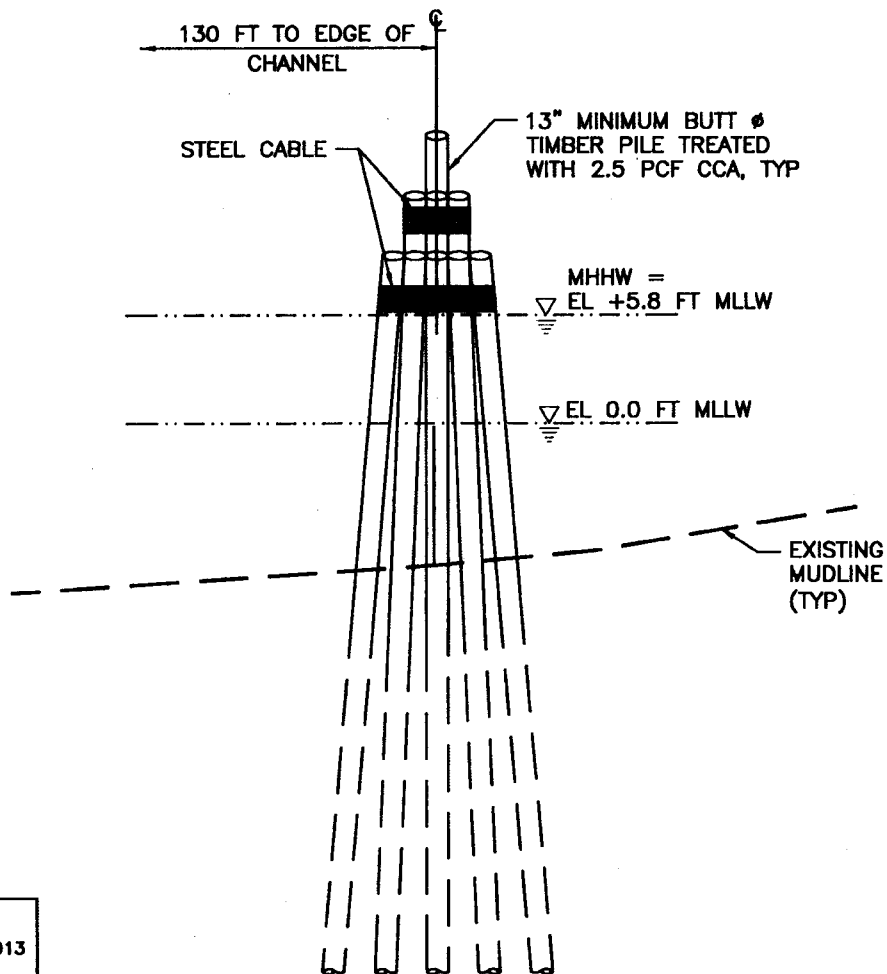
SECTION VIEW A-A FROM CHANNEL
 CENTERLINE TO INTERTIDAL MARSH

PROJECT PURPOSE: Mooring Dolphins
 2013-00592-2P

APPLICANT:
 Marlinex Construction, Inc.
 2008 Cherry Hill
 N. Charleston, SC 29405
 DATE: May 13, 2013

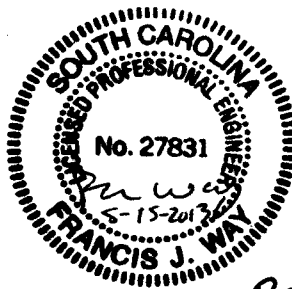


19-PILE CLUSTER
DOLPHIN PLAN
(10 PROPOSED)



NOTES:

1. VERTICAL DATUM = FEET MLLW
2. EXISTING MUDLINE FROM APRIL 25, 2013
HYDROGRAPHIC CONSULTANTS SURVEY



2013-00592-2R

PROJECT LOCATION
WATERWAY: Shipyard Creek
CITY: N. Charleston
COUNTY: Charleston - STATE: SC
LAT: 32° 50' 17.29" / LONG: 79° 58' 40.29"

SECTION VIEW OF 19 PILE
CLUSTER DOLPHIN
PROJECT PURPOSE: Mooring Dolphins

APPLICANT:
Marinex Construction, Inc.
2008 Cherry Hill
N. Charleston, SC 29405
DATE: May 13, 2013

SHEET NUMBER: 6